

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS FOR PERCUTANEOUS SURGERY

the specification of which: ☐ is attached hereto.
☒ was filed on: 12/15/03
as United States Application No.: 10/734,161
or PCT International Application No.: _____
and was amended on: _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Application Number	Country	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
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Prior Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)

Prior United States Application(s)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
10/359,996	06/02/03	Pending
09/815,693	23/03/01	U.S. Patent 6,679,833

And I hereby appoint, both jointly and severally, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the Hunton & Williams LLP attorneys and agents associated with **CUSTOMER NUMBER 21967**.

All correspondence and telephone communications should be addressed to:

CUSTOMER NUMBER 21967

corresponding to the law firm of Hunton & Williams LLP; Intellectual Property Department; 1900 K Street, N.W.; Suite 1200; Washington, DC 20006-1109; telephone number (202) 955-1500; facsimile number (202) 778-2201.

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are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature

Date

Given Name

(first and middle (if any))

Kevin T.

Family Name
or Surname

Foley

Citizenship:

USA

Residence:

2877 Keasler Circle, West, Germantown, Tennessee 38139

Mailing Address:

Same as above

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature

Date

Given Name

(first and middle (if any))

Maurice M.

Family Name
or Surname

Smith

Citizenship:

USA

Residence:

9285 Oak Knoll Cove, Cordova, Tennessee 38018

Mailing Address:

Same as above

NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature

Date

Given Name

(first and middle (if any))

John B.

Family Name
or Surname

Clayton

Citizenship:

USA

Residence:

720 East Wiggins, Superior, Colorado 80027

Mailing Address:

Same as above

NAME OF FOURTH INVENTOR:

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Signature

Date

Given Name

(first and middle (if any))

Joseph

Family Name
or Surname

MOCTEZUMA

Citizenship:

USA

Residence:

555 Tunnel 19 Road, Golden, Colorado 80403

Mailing Address:

Same as above

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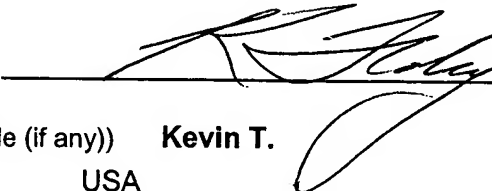
HUNTON & WILLIAMS LLP
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone); (202) 778-2201 (facsimile)

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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature



Date

4/29/2004 ^{KTF}

Given Name

(first and middle (if any))

Kevin T.

Family Name
or Surname

Foley

Citizenship:

USA

Residence:

2877 Keasler Circle, West, Germantown, Tennessee 38139

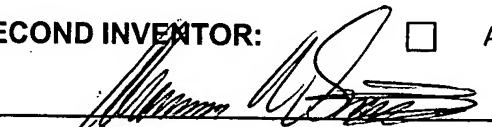
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Signature



Date

5/6/04

Given Name

(first and middle (if any))

Maurice M.

Family Name
or Surname

Smith

Citizenship:

USA

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NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature _____ Date _____
Given Name (first and middle (if any)) **Kevin T.** Family Name or Surname **Foley**
Citizenship: **USA**
Residence: **2877 Keasler Circle, West, Germantown, Tennessee 38139**
Mailing Address: **Same as above**


NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Signature _____ Date _____
Given Name (first and middle (if any)) **Maurice M.** Family Name or Surname **Smith**
Citizenship: **USA**
Residence: **9285 Oak Knoll Cove, Cordova, Tennessee 38018**
Mailing Address: **Same as above**

NAME OF THIRD INVENTOR:

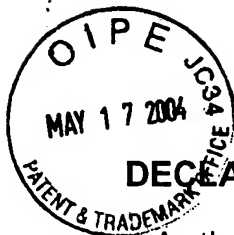
☐ A petition has been filed for this unsigned inventor

Signature  Date April 28, 2004
Given Name (first and middle (if any)) **John B.** Family Name or Surname **Clayton**
Citizenship: **USA**
Residence: **720 East Wiggins, Superior, Colorado 80027**
Mailing Address: **Same as above**

NAME OF FOURTH INVENTOR:

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Citizenship: **USA**
Residence: **555 Tunnel 19 Road, Golden, Colorado 80403**
Mailing Address: **Same as above**

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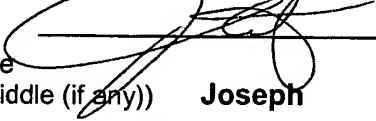
NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

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Citizenship: **USA**
Residence: **720 East Wiggins, Superior, Colorado 80027**
Mailing Address: **Same as above**

NAME OF FOURTH INVENTOR:

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Signature  _____ Date 5/10/04
Given Name (first and middle (if any)) **Joseph** Family Name or Surname **MOCTEZUMA**
Citizenship: **USA**
Residence: **555 Tunnel 19 Road, Golden, Colorado 80403**
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